

Motion and Affidavit to Set Aside Default

(Form DC 99)

STATE OF MICHIGAN
JUDICIAL DISTRICTMOTION AND AFFIDAVIT
TO SET ASIDE DEFAULT

CASE NO.

Court address

Court telephone no.

Plaintiff name, address, and telephone no.

v

Defendant name, address, and telephone no.

MOTION AND AFFIDAVIT

1. ☐ a. A default was entered against me on _____ for failure to ☐ answer. ☐ appear.
Date
- ☐ I was personally served with the default and a judgment has not been entered yet.
- ☐ b. A default judgment was entered against me on _____ for failure to ☐ answer. ☐ appear.
Date ☐ 21 days (General Civil)
☐ 21 days (Small Claims) has not yet passed since default entered.
☐ I was personally served with the default judgment. ☐ 10 days (Landlord-Tenant)
- ☐ c. Bond in the amount of one month's rent \$ _____ is posted with the court.
2. I have good cause for my failure to appear/answer as follows: (explain the reasons, attach separate sheet if needed)
3. My defense to the complaint has merit as follows: (specify the meritorious defense, attach separate sheet if needed)
4. **I request** the default/default judgment be set aside in this case and, if required, I agree to appear on the date scheduled by the court to state my reasons for this request.

Signature

Subscribed and sworn to before me on _____, _____ County, Michigan.
Date

My commission expires: _____ Signature: _____

Notary public, State of Michigan, County of _____

NOTICE OF HEARING

A hearing is scheduled on this matter on _____ at _____
Date Time

at _____ before Hon. _____.

Date

Signature

CERTIFICATE OF MAILING

I certify that a copy of this motion and notice of hearing was served on the other party(ies) or their attorney(ies) by ordinary mail addressed to their last known address(es).

Date

Signature

STATE OF MICHIGAN JUDICIAL DISTRICT	MOTION TO SET ASIDE DEFAULT	CASE NO.
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Plaintiff name

v

Defendant name

2. Reasons Continued.

3. Defense Continued.